EXPLANATION OF

18

فروع الفقه

Ibn Al-Mibrad

Shaykh Ahmad Musā Jibrīl

May Allāh (سبحانه وتعالى) ease the affairs of the Shaykh, preserve him, love him, and safeguard him from all harm. May He (سبحانه وتعالى) keep him sincere, and continue to shower his life and da'wah with His blessings, and allow the Muslims to benefit from his da'wah until the Day of Judgement. May Allāh make all his efforts weigh heavy on his scales, and make it an immense Sadaqah Jāriyah for him, his parents, and his family. May Allāh facilitate the completion of this Sharh, and shower him with His aid always and forever.

SH_AHMAD_JIBRIL

SH_AHMAD_JIBRIL

T.ME/AHMAD_MUSA_JIBRIL

SHAYKH AHMAD MUSĀ JIBRĪL

SHAYKH AHMAD MUSĀ JIBRĪL

بسم الله الرحمان الرحيم

الحمد لله رب العالمين والعاقبة للمتقين والصلاة والسلام على عبده ورسوله وخليله وصفوته من خلقه، نبينا وإمامنا وسيدنا محمد، وعلى آله وأصحابه ومن سلك سبيله واهتدى بهداه إلى يوم الدين، أما بعد

Nullifiers of Wudhū'

After the author finished talking about the minor and major purification, the Tahārah of that, he went back to talk about what nullifies both of those. So the author said,

والنواقض في الطهارة الصغرى ثمانية

He said the nullifiers of the minor purification are eight. What's the minor purification? Of course, that's Wudhū'. This topic, the nullifiers of Wudhū', comes after ending the talk on Wudhū', and it (the talk on Wudhū') ended, as you recall, with the Masā'il that we took pertaining to wiping over the Khuff. Why? This is called organizing the thought process, الترتيب في الأفكار. It's only practical to mention what breaks and nullifies Wudhū' after teaching Wudhū'. You can't nullify a Wudhū' if you don't have a Wudhū'. We learned Wudhū', now we learn how it's nullified. So he's basically saying, in the way he's organizing it, the Wudhū' you learned and performed will remain intact unless one of the following occurs, and that's how you keep the train of thought in your mind structured and organized when learning these matters. Especially if you're not among the ones who are memorizing the Matn.

والنواقض في الطهارة الصغرى ثمانية

According to the author, there's 8 nullifiers of Wudhū'. 'Nāqid' is nullifier. 'Nawāqid' is Jami', its plural, and it's Ism Fā'il, which is an active participle. Nawāqid or Nāqid means to unravel, to undo, to break, to nullify, to void, and it applies to Mahsūsāt (tangible) and Ma'nawiyyāt (intangible). It can refer to what is tangible and what's intangible. For example, it can refer to, in Mahsūsāt, like dismantling a building – something physical. An example would be the verse in Surah An-Nahl,

وَلَا تَكُونُواْ كَٱلَّتِى نَقَضَتْ غَزْلَهَا

"Don't be like the woman who foolishly unravels or undoes her yarn after its firmly spun." So it refers to what's physical, tangible, the undoing that's physical and tangible. It's also used in the context of what's intangible like Nawāqid Al-Islām (The Nullifiers of Islām). Here, it's Nawāqid Al-Wudhū'. Undoing, breaking, negating the Wudhū'. So it's to nullify, to undo, to break what's done, and here it pertains to undoing the Wudhū'. It's what nullifies the Wudhū' and requires one to perform that minor purification (the Wudhū') in order for the 'Ibādah to be accepted.

What's the proof for the list of nullifiers? There's no Hadīth or Āyah that says, "Here is the list of nullifiers of Wudhū'". To make it easier for us, like many other matters that we've studied, the Ulamā' do what's called الاستقراء والتتبع. They go through the proofs, tracking and deducing from them a list of the matters that nullify Wudhū'.

Nullifier #1 – الخارج من السبيلين

والنواقض في الطهارة الصغرى ثمانية

There are 8 nullifiers of Wudhū' according to the author. The first nullifier that he mentions,

الخارج من السبيلين

Whatever exits from the two private parts. Anything exiting from the two private parts.

I. What falls under this nullifier is many matters. The first one, the most popular one and the most popular known, is defecating and urinating. That nullifies Wudhū' by Ijmā' and there is also proof in the Qur'ān – that statement that's mentioned in Surah An-Nisā', and that exact statement is also mentioned in Surah Al-Mā'idah:

أَوْ جَآءَ أَحَدٌ مِّنكُم مِّنَ ٱلْغَآئِطِ

And also, the Hadīth that we took in the past. It's in Musnad Ahmad, Sunan An-Nasā'ī, Ibn Mājah and At-Tirmidhi and its also related by Ibn Khuzaymah, Hadīth Safwān Ibn 'Assāl

كان رسول الله صلى الله عليه وسلم يأمرنا، أن لا ننزع خفافنا، ثلاثة أيام، إلا من جنابة، لكن

من غائط، وبول، ونوم

"The Messenger (ﷺ) commanded us not to take our Khuff off for three days when we're travelling, unless it's because of the major sexual impurity, not from defecating or urinating or sleeping." Meaning, defecating, urinating and sleeping — you got to go make Wudhū'. When you go make Wudhū' and you're wearing the Khuff, you don't need to take the Khuff off, you just wipe over them. Bottom line is that they're matters that negate the Wudhū'. There is also Ijmā' that defecating and urinating from both private parts voids Wudhū' by Ijmā', no dispute on the matter. Among the Ulamā' who related the Ijmā' is Ibn Al-Mundhir, An-Nawawi, Ibn Hazm, and Ash-Shawkāni.

II. The next matter that falls under the author's statement الخارج من السبيلين, what exits from the two private parts, is breaking wind.

In Sahīh Al-Bukhāri,

لا تقبل صلاة من أحدث حتى يتوضأ. قال رجل من حضرموت ما الحدث يا أبا هريرة؟ قال

فساء أو ضراط

"The prayer of someone who does a Hadath will not be accepted until he performs Wudhū'". A person from Hadramawt asked Abu Hurayrah, "What is 'Hadath'?" Abu Hurayrah رضي الله عنه said, "Hadath is the passing of the wind." It's a clear statement and proof that passing the wind is a negator and a nullifier of Wudhū'.

Somewhat of a side issue is that statement Abu Hurayrah رضي الله عنه, that Hadath is passing wind, it sort of sounds like he limited Hadath to passing of wind. Hadath means voiding the Wudhū', which includes other matters like defecating, urinating, passing gas, and everything else. But why did Abu Hurayrah only define it as passing wind? It's possible because his answer was based on what he possibly knew of the person asking. Or he was talking about what's most common of the Hadath that voids Wudhū' during Salāh. Or he mentioned the least of what exits the private parts, which means if this is the least of what voids Wudhū', anything more and above it like defecating, urinating, Madhiy, and other matters are also automatically included.

Bukhāri also narrated the Hadīth. Hadīth 'Abbād bin Tameem,

عن عمه أنه شكى إلى رسول الله صلّى الله عليه وسلم الرجل الذي يخيل إليه أنه يجد الشيء في الصلاة، فقال: لا ينفتل أو لا ينصرف حتى يسمع صوتا أو يجد ريحا"

'Abbād Ibn Tameem said his uncle asked the Messenger (ﷺ) about someone who speculates, or thinks, or doubts, or imagines that he passed gas during Salāh. The Messenger (ﷺ) said,

لا ينفتل أو لا ينصرف حتى يسمع صوتا أو يجد ريحا

"He shouldn't leave his Salāh unless he hears a sound or smells something."

The third proof is Ijmā', there's consensus, no dispute, that passing wind voids Wudhū'. Ibn Al-Mundhir and Ibn Hazm and Ibn Qudāmah related the Ijmā' on this matter.

III. We took defecating and urinating, and we took passing the wind. All this falls under the author's statement, "The first matter that nullifies Wudhū'", which is الخارج من السبيلين. All this falls under just this statement, anything exiting from the two private parts. We took two. The third one, the third matter, is Al-Madhiy. The third matter under الخارج من السبيلين is Al-Madhiy, and Al-Madhiy is defined as pre-seminal, transparent fluid that's usually released with lustful thinking or engaging in foreplay with the spouse. That requires Wudhū', not Ghusl. There's plenty of proof on it. I'll mention actually two Ahādīth on that matter — and remember them because we will refer to them in the Masā'il that follow inshā'Allāh.

The first one is the one that's in Bukhāri and Muslim,

محمد ابن الحنفية عن علي – رضي الله عنه – قال كنت رجلا مذاء

'Ali said "I was a man who emitted a lot of Madhiy."

وكنت أستحيي أن أسال رسول الله – صلى الله عليه وسلم – لمكان ابنته

"I was too embarrassed and shy to ask the Messenger (ﷺ) about Madhiy because of his daughter's relationship to me (his daughter was my wife)."

فأمرت المقداد بن الأسود فسأله فقال : يغسل ذكره ويتوضأ

"I told Al-Miqdad, 'Go ask for me', and the Messenger (ﷺ) told him, 'Let him wash his private parts and do Wudhū'."'

We'll discuss that Inshā'Allāh in more detail.

In another Hadīth in Sunan At-Tirmidhi and Ibn Mājah and in Musnad Ahmad

عن سهل بن حنيف، قال:"كنت القى من المذي شدة فاكثر منه الاغتسال

"I used to suffer a lot, I used to suffer a great deal, by taking many baths from Madhiy."

فسألت رسول الله صلى الله عليه وسلم، فقال: إنما يجزيك من ذلك الوضوء

"I asked the Messenger (ﷺ), he said, 'Wudhū' is sufficient for you."'

قلت يا رسول الله كيف بما يصيب ثوبي قال إنما يكفيك كف من ماء تنضح به من ثوبك حيث ترى أنه أصاب

So he asked a follow up question. "What about the Madhiy that gets on my clothes?" The Messenger (ﷺ) said, "It's sufficient for you to do" — the term the Messenger (ﷺ) used is تَنْضِحُ, which means to pour or sprinkle or splash, and sometimes it may come in the meaning of washing. You do that to your clothes

wherever it (Madhiy) reached, and we'll explain more about the term and the rules pertaining to the matter and dispute in what's Ar-Rājih in that.

In Musannaf 'Abd Ar-Razzāq, Ibn 'Abbās رضي الله عنه said, one must make Wudhū' from Madhiy after washing his private parts. Also proof on this matter is Ijmā' and Ibn 'Abd Al-Barr and Ibn Al-Mundhir and Ibn Qudāmah said that pertaining to Al-Madhiy that's released with foreplay with the spouse, one must make Wudhū' from it without a dispute. That's proof that Wudhū' is required when Madhiy is released.

IV. The next Mas'alah is whether Madhiy is Najis or not.

- All four Imāms state that Madhiy is impure, its Najis — Hanafiyyah, Mālikiyyah, Shāfi'īyyah, and the Hanābilah. However, there is a second opinion within the Hanbali Madhhab that it's not Najis. The more popular within that Madhhab is with the rest of the 3 Ulamā', and the proof that it's Najis is the Ahādīth we took, and I told you we're going to refer back to it.

The first one is Hadīth 'Ali

يغسل ذكره ويتوضأ

Also, Hādith Sahl Ibn Hunayf about making Wudhū' and splashing or washing the clothes. There's other weak Ahādīth that support that but they're not needed because we have sufficient amount of Ahādīth that are authentic that we

mentioned. Ibn 'Abd Al-Barr and An-Nawawi related the Ijmā' (consensus) that Madhiy is Najis, it's impure.

- Okay. Some of the Hanābilah who said that Madhiy is not Najis appeared to have made Qiyās (analogy) to Maniy which is the semen. However, that's a weak, improper Qiyās because there is clear proof on the matter. When there is clear proof, there's no need for the Qiyās. And also, if they want to allege Qiyās of Madhiy on semen, they would also have to say that you need to do Ghusl with the release of Madhiy just like its done with the release of semen (Maniy), and no one said that, so there can't be analogy or Qiyās in this matter because they're totally different and there's proof on the matter. So, the correct opinion is [that] it's Najis. Madhiy is Najis.

V. Now that we've established it's Najis, it leads to the next Mas'alah of cleaning that Najāsah. That's divided into two Masā'il - what touches the flesh and what touches the clothes. We'll discuss them separately in two different Masā'il.

Let's take the first one which is what touches the flesh. If Madhiy is released from the private parts, it must be washed. However, must the entire sexual organ (the entire penis) be washed? Or part of it? Or the entire private part and the testicles as well?

- The first opinion is what An-Nawawi attributed to the majority of the Ulamā' and it's the opinion of the Hanafiyyah and Shāfi'īyyah, and it's that the glans (which is the top part of the private part, which in Arabic is referred to as Al-

Hashafah), that's what needs to be washed. The area, meaning the area that had Madhiy on it. يغسل ذكره ويتوضأ from Hādith 'Ali رضي الله عنه. To wash the private part and make Wudhū'. They said, washing the private part in the Hadīth is referring to the area where the Madhiy touched and where Madhiy was emitted from, and there's no proof to state that the entire penis must be washed.

A second proof is Hadīth Ibn 'Abbās in Musannaf 'Abd Ar-Razzāq, in an authentic chain:

يغسل حشفته ويتوضأ

He said, and he specified, washing the glans. And in another narration in Musannaf Ibn Abi Shaybah, he said ويغسل ذكره. Ibn 'Abbās used the statement in another narration mentioning the private part. One time he refers to the area that needs to be washed as the private part (the penis), the other time, he refers to it as the glans. Mentioning it like that – one time the private part and then the other time the glans, shows that he didn't mean the entire penis when he mentioned it, rather he meant the glans.

Keep in mind, Ibn 'Abbās is among the narrators who related the famous Hadīth on this matter, the Hadīth of 'Ali رضي الله عنه, so he knows and he masters this matter very well. This shows he understood when he said wash the private part, it means the glans, حشفته. Otherwise, he would have referred to it as حشفته in some other statements. And he, like the rest of the Sahābah, are best in the

Arabic language, and of course above and beyond that, they learned firsthand from the Messenger (ﷺ).

At-Tahāwi compared it to other Najasāt. He compared Madhiy to other Najasāt, like feces. He said when one defecates, the person is required to wash the area where there is feces, the Najasāh. He needs to wash that area. And he said Madhiy is Najis as well, and so it's the area where it touched that needs to be cleaned.

- The second opinion is the opinion of washing the entire private part. That's the opinion of Imām Mālik. يغسل ذكره ويتوضأ They also used Hadīth 'Ali رضي الله عنه. They said ذَكَرَهُ in the Hadīth, the penis, means the entire penis. They said you wash the glans, you wash that because of Najāsah, then you wash the rest of the private part as a matter of 'Ibādah because the Hadīth states to do so.

- The third opinion is washing the entire private part and the testicles when there is release of Madhiy. That's the opinion of some of the Hanābilah, some of the Mālikiyyah. It's the opinion of Ibn Hazm and Al-Awzā'i. Their proof is Hādith 'Ali رضي الله عنه but a different version of it with different terms. The same Hadīth, but with different terms. The one they use is in Musnad Ahmad. That narration specifically mentions washing the penis and the testicles:

يغسل ذكره وأنثييه

However, it's not an authentic Hadīth, its chain has some issues with it.

The second proof is a Hadīth, or alleged Hadīth in Sunan Abu Dawūd and that's more frequently and popularly used on this matter, and it specifies the private part with the testicles, but it's also weak as well. There's no authentic Hadīth on specifying or including the testicles as it pertains to washing and purifying yourself from Madhiy.

Ar-Rājih

Ar-Rājih is what An-Nawawi رحمه الله تعالى attributed to the majority of Ulamā' and it's that what must be washed is the glans and the area where Madhiy touched. It doesn't have to include the entire private part or the testicles, other than the glans and what was touched by Madhiy. The proof backs that up and there is also a narration in Musnad Ahmad that says توضأ وأغسله. The Dameer (pronoun) in the Hadīth, 'wash it', is referring to Madhiy. So it's where Madhiy reached that needs to be washed. Keep in mind the ruling on this matter applies for women as well. That was for the flesh, Madhiy on the private parts. The next issue is what you do when it touches the clothes.

These are essential matters. I believe these Fiqhi matters are very essential, to me they are *very* essential. Many take them lightly, and I don't understand how they do so when proper Tahārah is based on knowing them and applying them, and 'Ibādah's acceptance is based on proper Tahārah. So, let's leave it at that. Let's let those Masā'il or issues that we took sink in, and we will start next week with purifying Madhiy from the clothes.

No one should get lazy in learning these Masā'il. They're very essential to every single Muslim. For example, Madhiy, we said, is Najis. Urine is Najis too. Yes, some mentioned that Madhiy's Najāsah might be slightly less in severity, but nonetheless it falls under Najāsah. Shortcomings in purifying oneself from Najāsah is not to be taken lightly. It's sufficient to know the horrific consequences of shortcomings in these details. It may be a cause for one's punishment in the grave. May Allāh سبحانه وتعالى guard us from that. In Sahīh Muslim,

وكان الآخر لا يستنزه عن البول – أو من البول

The Messenger (ﷺ) passed by two graves. They were being tormented in the graves. He said, "The other one did not keep himself safe from being defiled by urine." An-Nawawi رحمه الله تعالى mentioned the various terms within the Hadīth, يَسْتَنْزِهُ and the other various terms in the Hadīth. He said, "They all mean or pertain to one who doesn't avoid and take precaution and guard himself from urine." Madhiy is very similar.

It's sufficient to know it's part of the honor of learning 'Ilm. On top of the great virtues and rewards for learning 'Ilm, this is among the details Allāh سبحانه وتعالى ordered the Messenger (ﷺ) early on. If it wasn't important, would He direct His Messenger, at a time when was barely any believers on Tawheed,

وَثِيَابَكَ فَطَهِّرْ

"And purify your garments"? One of the meanings of that verse, one of the meanings of the various meanings of that verse, is that it actually pertains to purifying the garments, as it states. And according to Jābir رضي الله عنه, it's the first verse that was revealed to the Messenger (ﷺ). Ā'ishah رضي الله عنها said the first one was ٱقْرَأْ and that's more authentic and correct.

Holding these matters in high regard, learning them in detail — all that changes one's thought process towards Salāh and 'Ibādah, and that helps attain Khushū'. Anything essential in your life, you prepare for it beforehand, and one of the ways to prepare for the meeting with Al-Jabbār, Mālik Al-Mulūk, is by proper Tahārah before Salāh.

Someone was allegedly — والله أعلم, I heard it, I'm not sure if it truly happened — Someone was allegedly asked by another, "Why is the chapter of Jihād delayed in the books of Fiqh?" He said, the supposed response was that so people won't talk about Jihād without knowing the rules of Tahārah. My point of this is to encourage one to continue learning Fiqh and the other Islamic Sciences even in the most difficult times. Allāh سبحانه وتعالى told His Messenger, وَثِيَابَكَ فَطَهِّرْ when he was struggling for people to accept Tawheed, in the most difficult of the times.

وصلى الله على سيدنا محمد وعلى آله وصحبه وسلم